

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Beverly D. Birk
Marvin W. Birk

Debtor(s)

U.S. Bank National Association, not in its
individual capacity, but solely as Trustee for
RMTP Trust, Series 2021 Cottage-TT-V

Movant

v.

Beverly D. Birk
Marvin W. Birk

Debtor(s)

Scott F. Waterman

Trustee

Chapter 13

NO. 23-11289 PMM

11 U.S.C. Section 362

ORDER

AND NOW, this **14th** day of **March**, 2024 upon the filing of a Certification of Default by the Moving Party in accordance with the Stipulation of the parties approved on November 29, 2023, it is ORDERED AND DECREED that:

The Automatic Stay of all proceedings, as provided under Section 362 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (The Code), 11 U.S.C. Section 362 and the Co-Debtor Stay under Section 1301 of the Bankruptcy Code (if applicable), is modified with respect to the subject premises located at 1441 Cloverton Drive, Columbia, PA 17512 ("Property"), so as to allow Movant, and its successors or assignees, to proceed with its rights and remedies under the terms of the subject Mortgage and pursue its in rem State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.



Hon. Patricia M. Mayer
United States Bankruptcy Judge.